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*In conjunction with Legal Aid Center of Southern  
Nevada Federal Pro Bono Program*

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

ANTHONY HARRIS,

Plaintiff,

v.

STATE OF NEVADA, et al.,

Defendants.

Case No. 2:20-cv-02040-ART-EJY

**STIPULATION AND ~~PROPOSED~~  
ORDER TO EXTEND ALL  
DISCOVERY DEADLINES BY 60  
DAYS**

**(FIRST REQUEST)**

Under Federal Rules of Civil Procedure 6, 16, and 26, and Local Rules 23-6 and IA 6-1, Plaintiff Anthony Harris (“Plaintiff”) and Defendants John Borrowman, Gregory Bryan, Jayme Cabrera, Bob Faulkner, Frederico Fonseca, Stephen George, Michael Minev, Nonilon Peret, James Tolman, Brian Williams Sr., and Nurse Nick, (collectively, “Defendants”), by and through their undersigned counsel, stipulate and agree to extend all discovery deadlines for sixty (60) days. The parties stipulate to this extension to accommodate ongoing settlement discussions in the case. This request is made in good faith. This is the parties’ first joint request to extend discovery deadlines in the scheduling order.

**A. COMPLETED DISCOVERY**

Plaintiff has conducted the following discovery:

1. Served its initial disclosures;
2. Served two sets of written discovery requests (requests for production and interrogatories) to Defendants; and

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3. Served third-party subpoenas for Plaintiff's records from medical facilities and the Nevada Department of Corrections.

Defendants have served their initial disclosures and produced responses and objections to some of the written discovery requests.

#### **B. REMAINING DISCOVERY**

Defendants are working on providing responses to some written discovery and supplementing other discovery responses. Both parties intend to conduct additional discovery, to potentially include written discovery, third party discovery, and depositions.

#### **C. GOOD CAUSE EXISTS TO EXTEND DISCOVERY**

To amend a scheduling order, a party must demonstrate good cause if the filing is made 21 days before the discovery deadline. LR 26-3; LR IA 6-1(a). Here, the parties request this extension for good cause. Additionally, there is no prejudice as the parties stipulate to this extension and there is no trial date.

There is good cause to extend discovery deadlines in this case. The parties have been engaged in meaningful settlement discussions since May 2023. These discussions have taken more time than usual given Plaintiff's incarcerated status. Additionally, Defendants' counsel changed in October 2023, and the new counsel needed time to be brought up to speed with the case and the status of ongoing settlement discussions. Nonetheless, the parties' counsels believe settlement discussions have been progressing and in light of upcoming deadlines in the case, they have agreed and stipulated to extend all discovery deadlines by two months to accommodate furthering the settlement talks. This is the first extension of discovery requested by the parties.

#### **D. NEW DISCOVERY AND TRIAL-RELATED DATES**

The parties stipulate to and propose the following new deadlines:

1. File Motions to Amend Pleadings or to Add Parties: February 26, 2024
2. Disclosure of expert witnesses: March 27, 2024
3. Disclosure of rebuttal expert witnesses: April 29, 2024
4. Factual discovery cutoff: May 27, 2024

1           5. Dispositive Motions: June 25, 2024

2           6. Pretrial Order: July 25, 2024 (or 30 days after dispositive motions are decided)

3           **IT IS SO STIPULATED.**

4       Dated this 28<sup>th</sup> day of November, 2023.

Dated this 28<sup>th</sup> day of November, 2023.

5       AARON D. FORD  
6       Attorney General

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14      Attorneys for Defendants

Attorney for Plaintiff

15           **IT IS SO ORDERED.**

16             
17           United States Magistrate Judge

18           Dated: November 28, 2023